

**Remarks**

This Application has been carefully reviewed in light of the final Office Action mailed November 18, 2003. Although Applicants believe all pending claims are allowable over the prior art of record without amendment, Applicants have amended Claims 1, 9-11, 18-20, 27, and 28 to clarify certain distinguishing features already present in the claims. Certain of these amendments have not narrowed the claims, and none are considered necessary for patentability. Applicants respectfully request reconsideration and allowance of all pending claims.

**The Claims are Allowable over the Rejections Under 35 U.S.C. § 102**

The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Ebay.com ("*Ebay*"). The Examiner rejects Claims 1-7, 9-16, 18-25, and 27-28 under 35 U.S.C. § 102(b) as being anticipated by Amazon.com ("*Amazon*"). The Examiner rejects Claims 1-28 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,366,910 to Rajaraman, et al. ("*Rajaraman*"). Applicants respectfully disagree with each of these rejections.

As an example, Claim 1, as amended, recites:

A global content directory *for a distributed plurality of seller databases, each seller database being associated with a corresponding seller and distinct from other seller databases in the distributed plurality of seller databases*, the global content directory comprising:

a directory structure comprising a plurality of product classes organized in a hierarchy, each product class categorizing a plurality of products and defining one or more attributes of the products categorized in the product class;

one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from other seller databases in the distributed plurality of seller databases*; and

a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller database identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller database*.

*Ebay*, *Amazon*, and *Rajaraman* each fail to disclose, teach, or suggest various limitations recited in Claim 1.

**I. Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over *Ebay***

*Ebay* discloses a list of product categories through which a user may navigate to find a desired category (e.g., a Sports Category). (See Pages 1-2) The user may then search within the desired category for a desired item (e.g., items relating to Roberto Clemente). (See Pages 2-5) *Ebay* also discloses returning search results for the search performed by the user, which may include a list of found items matching certain search terms entered by the user. (See Pages 3 and 5) A user may click on a particular found item, and the ebay.com web site will display certain information about the particular found item, including the seller of the particular found item. (See Page 6)

However, *Ebay* fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Ebay* fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, ***each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,***" as recited in Claim 1 as amended. As illustrated by the archived screenshots of ebay.com (which make up the *Ebay* reference), seller information is displayed when a user selects a particular found item. Based on the *Ebay* screenshots, however, there is no way to know how the system disclosed in *Ebay* works or how it obtains the search results.

Forced to speculate as we are, it is likely that a seller wishing to offer an item for auction on ebay.com submits information about the seller and the item to ebay.com and ebay.com simply stores that information in ***a single, consolidated database system associated with ebay.com*** that stores information ***for all sellers*** offering items for auction on ebay.com. This is particularly likely in light of the fact that many, if not most, sellers offering items for auction on ebay.com are individuals offering one or possibly a few items for auction, not a whole database of items.

In fact, ebay.com most likely performs a simple search (e.g., an SQL search) of *the single, consolidated database associated with ebay.com* that stores information *for all sellers*. Each item listing in the database of ebay.com may include a seller entry for the seller of the item, category entries listing the categories for the item, and other information. Additionally, according to *Ebay*, the screenshot displaying details for a selected found item (e.g., *Ebay*, Page 6) also includes a link to other items offered by the seller. Again, forced to speculate as we are, it is likely that obtaining this information for display is a matter of simply performing another search of *the single, consolidated database associated with ebay.com* that stores information *for all sellers* offering items for auction on ebay.com.

In response to Applicants' arguments from the previous Response, the Examiner indicates that *Ebay* discloses the use of pointers, stating that a "pointer, in computer terms, is a computer memory address that contains another address (of desired data)." (Office Action, Page 9) The Examiner continues, "It is known in that any Internet web site operates with pointers." (Office Action, Pages 9-10) However, even assuming for the sake of argument that ebay.com uses pointers as defined by the Examiner, there would still be no disclosure, teaching, or suggestion in *Ebay* that there are "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1 as amended. At best, the pointers used by ebay.com would simply indicate a memory address within the *single, consolidated database associated with ebay.com* that stores information *for all sellers* offering items for auction on ebay.com.

As another example, *Ebay* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*" as recited in Claim 1 as amended. In response to Applicants'

arguments from the previous Response, the Examiner indicates that *Ebay* discloses the search interface, stating that "[w]hen a user tries to find a product in *Ebay*, it can go to a category and then can make a search for the product in that specific category. Then the buyer will be provided a list of sellers selling things related to that product." (Office Action, Page 10) While that may be true, as best as can be determined from the screenshots making up the *Ebay* reference, the search performed is likely of ***a single, consolidated database associated with ebay.com*** that stores information ***for all sellers*** offering items for auction on ebay.com. There is simply no disclosure, teaching, or suggestion of "a plurality of seller databases," let alone communicating "a search query for product data to ***the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,***" as recited in Claim 1 as amended.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants also respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

## **II. Claims 1-7, 9-16, 18-25, and 27-28 are Allowable over Amazon**

*Amazon* discloses certain features similar to those discussed above with reference to *Ebay*. *Amazon* discloses a list of product categories through which a user may navigate to find a desired category (e.g., Electronics), within which the user may search for a desired item (e.g., DVD players). (See Pages 1 and 3-4) *Amazon* also discloses returning search results for the search performed by the user, which may include a found item matching certain search terms entered by the user. (See Page 5) The found item returned in the search result (e.g., based on the search term "DVD") may be associated with a seller (e.g., Philips). (See Pages 4-6) Amazon.com displays various information related to the found item (See Pages 5-6), including sellers of the item other than amazon.com. (See Page 5)

However, like *Ebay*, *Amazon* fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Amazon* fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, ***each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from other seller databases in the distributed plurality of seller databases,***" as recited in Claim 1 as amended. As illustrated by the archived screenshots of amazon.com (which make up the *Amazon* reference), a "More Buying Choices" section of *Amazon* (see Page 5) may be returned with the search results, which allows a user to view other sellers (i.e. other than *Amazon*) that offer the found product for sale. However, as discussed above with reference to *Ebay*, based on the *Amazon* screenshots, there is no way to know how the system disclosed in *Amazon* works or how it obtains the search results.

Forced to speculate as we are, it is likely that one of the "other sellers" wishing to offer an item for sale on amazon.com submits information about the seller and the item to amazon.com and amazon.com simply stores that information in ***a single, consolidated database associated with amazon.com*** that stores information ***for all "other sellers"*** offering items for sale on amazon.com. For example, a seller may submit to amazon.com a message indicating that the seller has a used Philips DVD player that the seller is willing to sell for \$130.00. Amazon.com then likely stores this in ***the single, consolidated database associated with amazon.com*** that stores information ***for all "other sellers"*** offering to sell items through amazon.com. In response to a search request for "More Buying Choices" for the Philips DVD740VR DVD/VCR Combo (see *Amazon*, Page 5), amazon.com most likely performs a simple search (e.g., an SQL search) of ***a the single, consolidated database associated with amazon.com*** that stores information ***for all "other sellers."*** Each item listing in ***the single, consolidated database associated with amazon.com*** (e.g., the Philips DVD740VR DVD/VCR Combo) may include a seller entry for other sellers of the item, category entries listing the categories for the item (e.g., Electronics), and other information. But this type of search does not involve accessing any ***"seller database in the distributed plurality of seller databases,"*** the seller database ***"being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,"*** as recited in Claim 1 as amended. There simply is no disclosure, teaching, or suggestion in *Amazon* of "one or more pointers associated with each product class in

the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1 as amended.

In response to Applicants' arguments from the previous Response, the Examiner refers to his arguments made with reference to *Ebay*. (Office Action, Page 10) However, even assuming for the sake of argument that amazon.com uses pointers as defined by the Examiner, there would still be no disclosure, teaching, or suggestion in *Amazon* that there are "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1 as amended. At best, the pointers used by amazon.com would simply indicate a memory address within the *single, consolidated database associated with amazon.com* that stores information *for all sellers* offering items for sale on amazon.com.

As another example, *Amazon* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,*" as recited in Claim 1 as amended. In response to Applicants' arguments from the previous Response, the Examiner again refers to his arguments made with reference to *Ebay*, stating that "[w]hen a user tries to find a product in [*Amazon*], it can go to a category and then can make a search for the product in that specific category. Then the buyer will be provided a list of sellers selling things related to that product." While that may be true, as best as can be determined by the screenshots making up the *Amazon* reference, the search performed is likely of *a single, consolidated database associated with amazon.com* that stores information *for all sellers* offering items for sale on amazon.com. There is simply no disclosure,

teaching, or suggestion of "a plurality of seller databases," let alone communicating "a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases*," as recited in Claim 1 as amended.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants also respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

### **III. Claims 1-28 are Allowable over Rajaraman**

*Rajaraman* discloses a method and system for general purpose searching (GPS), which allows a user to search for items that best match a search criteria. (Column 2, Lines 57-60) To facilitate the searching, the GPS system groups items into a classification hierarchy. The GPS system inputs a search criteria from a user, searches for the classifications of items that best match the search criteria, and displays those classifications in an order based on how well they match the search criteria. (Column 2, Line 65-Column 3, Line 3) The user can then select a displayed classification to view the sub-classifications within that classification or, if that classification has no sub-classification, the items within that classification. (Column 3, Lines 4-7)

*Rajaraman* fails to disclose, teach, or suggest various limitations recited in Claim 1.

For example, *Rajaraman* fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases*," as recited in Claim 1 as amended. Figure 2 of *Rajaraman* makes clear that any product data is merely stored in *a single product database 201 associated with the system*. Nowhere does *Rajaraman* disclose a plurality of seller databases, much less that each pointer identifies a seller

database in a distributed plurality of seller databases as recited in Claim 1. At best, *Rajaraman* discloses that the single product database 201 contains a department table for each department in an online store. (Column 5, Lines 65-66) The department may be considered the highest classification. (Column 5, Line 66 -Column 6, Line 1) Each department table contains one entry for each item that is available to be purchased through the department of the online store. (Column 6, Lines 1-2; *see also* Figures 3A and 3B) The tables include a field that specifies the classification of each item within the classification hierarchy and other fields that describe each item. (Column 6, Lines 4-10) One of these fields may be a provider field. (Column 6, Lines 10-11) Thus, the items of *Rajaraman* are merely stored in a table *associated with the system*. Presumably, sellers submit information for entry into the tables *associated with the system*, although *Rajaraman* does not disclose how seller information is entered in the tables.

In response to Applicants' arguments presented in the previous Response that *Rajaraman* fails to disclose, teach, or suggest the one or more pointers recited in Claim 1, the Examiner refers to Figure 4 of *Rajaraman*. (Office Action, Page 10) However, Figure 4 merely illustrates "a hierarchical organization of the items in the apparel table of the product database." (Column 6, Lines 26-28) First, Applicants note that *Rajaraman* refers to "the product database," confirming that there is a single database associated with system in *Rajaraman* rather than "a distributed plurality of seller databases" as recited in Claim 1 as amended. Second, even assuming that *Rajaraman* uses pointers to refer to the single product database, Figure 4 merely illustrates an organization of data within the single product database. Thus, even considering the Examiner's newly presented argument, *Rajaraman* still fails to disclose, teach, or suggest "one or more pointers associated with each product class in the plurality of product classes, *each pointer identifying the seller database in the distributed plurality of seller databases in which product data enabling a product transaction is stored for products associated with the product class, the seller database identified by the pointer being associated with its corresponding seller and being distinct from the other seller databases in the distributed plurality of seller databases,*" as recited in Claim 1 as amended.

As another example, *Rajaraman* fails to disclose, teach, or suggest "a search interface operable to communicate, in response to a selection of a product class by a user of the global content directory, a search query for product data to *the one or more seller databases identified*



*by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,"* as recited in Claim 1 as amended. As discussed above, there is no disclosure, teaching, or suggestion in *Rajaraman* of "a distributed plurality of seller databases." *Rajaraman* merely discloses searching its GPS index associated with the single product database for terms within its classification hierarchy that match a user's search term. There is no disclosure, teaching, or suggestion in *Rajaraman* of any search of even one seller database in response to a user query -- just a search of the GPS index. There is simply no disclosure, teaching, or suggestion of "a plurality of seller databases," let alone communicating "a search query for product data to *the one or more seller databases identified by the one or more pointers associated with the selected product class, each seller database being associated with its corresponding seller and distinct from the other seller databases in the plurality of seller databases,"* as recited in Claim 1 as amended.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 1 and its dependent claims. For reasons substantially similar to those discussed above with reference to independent Claim 1, Applicants respectfully request reconsideration and allowance of independent Claims 11 and 20 and their dependent claims.

**Conclusion**

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Christopher W. Kennerly, Attorney for Applicants, at the Examiner's convenience at (214) 953-6812.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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